

MAY. 16, 2007 9:06AM OBLON SPIVAK

NO. 778 P. 6

DOCKET NO: 210767US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

: DATE ALLOWED: APRIL 21, 2006

MINORU AKITA, ET AL.

: GROUP ART UNIT: 2616

SERIAL NO: 09/899,219

: EXAMINER: JUNG H. PARK

FILED: JULY 6, 2001

:

RECEIVED

JUL 18 2006

FOR: A COMMUNICATION CONTROL  
METHOD TO ALLOCATE SLOTS  
OF AN UPWARD SIGNAL TO  
CHILD STATION, AND CONTROL  
DEVICE, PARENT STATION,  
CHILD STATION AND  
COMMUNICATION SYSTEM FOR  
THE SAME

OFFICE OF PETITIONS

**PETITION FOR WITHDRAWAL OF  
APPLICATION FROM ISSUE UNDER 37 C.F.R. 1.131**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Further to the Issue Fee paid on June 23, 2006, Petitioners respectfully request the Office to Withdraw the present allowed application from Issue under the provisions granted Petitioners by 37 CFR §1.131.

37 C.F.R. 1.131 recites that once the issue fee has been paid, the application will not be withdrawn from issue upon petition by the applicant for any reason except:

(1) Unpatentability of one or more claims, which petition must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be

patentable;

07/19/2006 CKHLOK 00000016 09899219  
01 FC:1464

130.00 OP

07/19/2006 CKHLOK 00000016 09899219  
02 FC:1801 790.00 OP  
07/19/2006 CKHLOK 00000016 09899219  
01 FC:1464 Adjustment date: 05/25/2007 MGE8REM1  
-130.00 OP  
07/19/2006 CKHLOK 00000016 09899219  
Adjustment date: 05/25/2007 MGE8REM1  
07/19/2006 CKHLOK 00000016 09899219  
-790.00 OP

PAGE 68\*RCVD AT 5/16/2007 9:03:18 AM [Eastern Daylight Time]\* SVR:USPTO-EXRF-2/21\*DNIS:2736500\*CSID:0004732109\*DURATION (mm:ss):02:24

MAY. 16. 2007 9:06AM 08LON SPIVAK

NO. 778 P. 7

Application No. 09/899,219  
Petition to Withdraw from Issuance

(2) Consideration of a request for continued examination in compliance with § 1.114;  
or  
(3) Express abandonment of the application. Such express abandonment may be in  
favor of a continuing application.

Concurrent with the present Petition, Applicants have filed an Express Abandonment  
Under 37 C.F.R. 1.138. Thus, favorable consideration of this petition is respectfully  
requested.

The required fee of \$130.00 is enclosed herewith by credit card form and any further  
charges may be made against the Attorney of Record's Deposit Account No. 15-0030. A  
duplicate copy of this petition is attached.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters  
Registration No. 28,870

Michael E. Monaco  
Registration No. 52,041

Customer Number  
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(08MMN 09/03)

MAY. 16. 2007. 9:07AM OBLON SPIVAK

NO. 778 P. 8



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://uspto.gov)

OBLON SPIVAK MCCLELLAND  
MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

COPY MAILED  
JUL 19 2006  
OFFICE OF PETITIONS

In re Application of  
Minoru Akita et al  
Application No. 09/899,219  
Filed: July 6, 2001  
Attorney Docket No. 210767US2

ON PETITION

This is a decision on the petition, filed July 18, 2006, under 37 CFR 1.313(c)(3) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is GRANTED.

The above-identified application is withdrawn from issue for express abandonment in favor of a continuing application under 37 CFR 1.53(b). See 37 CFR 1.313(c)(3).

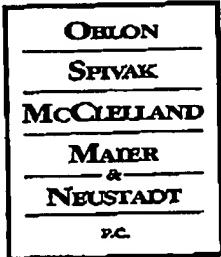
The application is hereby withdrawn from issue, and the abandonment is hereby recognized.

Telephone inquiries should be directed to Irvin Dingle at (571) 272-3210.

Irvin Dingle  
Petitions Examiner  
Office of Petitions

MAY. 16. 2007 9:05AM OBLON SPIVAK

NO. 778 P. 1



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PATENT, TRADEMARK AND COPYRIGHT LAW  
AND RELATED FEDERAL AND ITC LITIGATION

WWW.OBLON.COM

**FACSIMILE**

PLEASE CALL US AT (703) 413-3000 IF THE MESSAGE YOU RECEIVE IS INCOMPLETE OR NOT LEGIBLE

TO	Office of Finance	5/16/2007
NAME	USPTO	DATE 571-273-6500
COMPANY/FIRM		FAX #
NUMBER OF PAGES INCLUDING COVER:		CONFIRM FAX: <input type="checkbox"/> YES <input type="checkbox"/> NO
FROM	Scott Lohr	OUR REFERENCE
NAME	703-412-6472	YOUR REFERENCE
DIRECT PHONE #		

**MESSAGE**

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MAY. 16. 2007 9:05AM OBLON SPIVAK

NO. 778 P. 2

May 15, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE  
2051 Jamieson Avenue  
Suite 300  
Alexandria, VA

ATTORNEYS AT LAW  
KATHLEEN A. MORSSBERGER  
CONTROLLER  
(703) 412-6494  
KMORSSBERGER@OBLON.COM

Attn: Refund Department

Re: American Express Account

Dear Sir or Madame:

Enclosed is a copy of a portion of our American Express Statement from July 2006. Please review the highlighted charge on serial number 09/899,219, in the amount of \$790.00 on fee code 1801.

This charge is in error as our Petition for Withdrawal of Application from Issue under 37 CFR 1.313 did not include a Request for Continued Examination. The fee charged to our American Express account was an error and should be refunded.

Please investigate this charge and kindly refund \$790.00 to deposit account number 150030. Copies of the appropriate paperwork are attached. If you have any questions, please contact Scott Lohr at (703) 412-6472. Thank you for your assistance.

Sincerely,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "S. Lohr".

Scott Lohr

Enclosures:

1940 DUKE STREET ■ ALEXANDRIA, VIRGINIA 22314 ■ U.S.A.  
TELEPHONE: 703-413-3000 ■ FACSIMILE: 703-413-2220 ■ [www.oblon.com](http://www.oblon.com)

PAGE 28\*RCVD AT 5/16/2007 9:03:18 AM [Eastern Daylight Time]\* SVR:USPTO-EFXRF-2/21\* DNI:2736500\* CSID:7034132220\* DURATION (mm:ss):02:24

CECELIA F DAVIS	7/19/2006	1,020.00	10854183 GOVERNMENT SERVICES
CECELIA F DAVIS	7/27/2006	500.00	10233585 GOVERNMENT SERVICES
CECELIA F DAVIS	8/1/2006	1,360.00	11092683 GOVERNMENT SERVICES
CECELIA F DAVIS	8/2/2006	1,120.00	10947134 GOVERNMENT SERVICES
CECELIA F DAVIS	8/7/2006	120.00	09890264 GOVERNMENT SERVICES
CECELIA F DAVIS	8/7/2006	1,240.00	10450248 GOVERNMENT SERVICES
CECELIA F DAVIS		7,200.00	✓
CECELIA F DAVIS Total		7,200.00	✓
CHERYL B WAGNER	7/11/2006	2,750.00	10863294 GOVERNMENT SERVICES
CHERYL B WAGNER	7/18/2006	1,930.00	10757444 GOVERNMENT SERVICES
CHERYL B WAGNER	7/19/2006	(1,000.00)	002266761 10957698 07/19/
CHERYL B WAGNER	7/24/2006	1,330.00	11490076 GOVERNMENT SERVICES
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CHERYL B WAGNER	7/26/2006	180.00	11298890 GOVERNMENT SERVICES
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CHERYL B WAGNER	8/4/2006	180.00	11208739 GOVERNMENT SERVICES
CHERYL B WAGNER	8/4/2006	130.00	10830223 GOVERNMENT SERVICES
CHERYL B WAGNER		6,180.00	✓
CHERYL B WAGNER Total		6,180.00	✓
CHRISTOPHER A SCOTT	7/10/2006	1,530.00	11481818 GOVERNMENT SERVICES
CHRISTOPHER A SCOTT	7/11/2006	120.00	09968547 GOVERNMENT SERVICES
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CHRISTOPHER A SCOTT	7/17/2006	910.00	09925737 GOVERNMENT SERVICES
CHRISTOPHER A SCOTT	7/19/2006	920.00	09899219 GOVERNMENT SERVICES
CHRISTOPHER A SCOTT	7/24/2006	600.00	10148880 GOVERNMENT SERVICES
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CHRISTOPHER A SCOTT	7/25/2006	450.00	09928257 GOVERNMENT SERVICES
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CHRISTOPHER A SCOTT	7/26/2006	2,350.00	11492103 GOVERNMENT SERVICES
CHRISTOPHER A SCOTT	7/27/2006	850.00	11319699 GOVERNMENT SERVICES
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CHRISTOPHER A SCOTT	8/1/2006	120.00	10687802 GOVERNMENT SERVICES
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CHRISTOPHER A SCOTT	8/2/2006	1,250.00	11084818 GOVERNMENT SERVICES
CHRISTOPHER A SCOTT	8/3/2006	450.00	10697035 GOVERNMENT SERVICES
CHRISTOPHER A SCOTT	8/3/2006	1,020.00	10286638 GOVERNMENT SERVICES
CHRISTOPHER A SCOTT		16,830.00	✓
CHRISTOPHER A SCOTT Total		16,830.00	✓
CORRINE CUNNINGHAM	7/10/2006	500.00	10089083 GOVERNMENT SERVICES
CORRINE CUNNINGHAM	7/13/2006	1,000.00	11484743 GOVERNMENT SERVICES
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CORRINE CUNNINGHAM	7/24/2006	120.00	10964884 GOVERNMENT SERVICES
CORRINE CUNNINGHAM	7/25/2006	100.00	10809563 GOVERNMENT SERVICES
CORRINE CUNNINGHAM	8/2/2006	120.00	10258013 GOVERNMENT SERVICES
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CORRINE CUNNINGHAM	8/2/2006	130.00	11203345 GOVERNMENT SERVICES
CORRINE CUNNINGHAM	8/4/2006	225.00	10913441 GOVERNMENT SERVICES
CORRINE CUNNINGHAM Total		3,715.00	✓
DARA L CARTER	7/13/2006	40.00	11402958 GOVERNMENT SERVICES
DARA L CARTER	7/17/2006	\$10.00	09631913 GOVERNMENT SERVICES

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NO. 778 P. 4

Docket No.: 210767US2

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

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JUL 18 2007

OFFICE OF PETITIONS

RE: Application Serial No.: 09/899,219

Applicants: Minoru AKITA, et al.

Filing Date: July 6, 2001

Date Allowed: April 21, 2006

For: A COMMUNICATION CONTROL METHOD TO  
ALLOCATE SLOTS OF AN UPWARD SIGNAL TO  
CHILD STATION, AND CONTROL DEVICE,  
PARENT STATION, CHILD STATION AND  
COMMUNICATION SYSTEM FOR THE SAME

Group Art Unit: 2616

Examiner: Jung H. Park

SIR:

Attached hereto for filing are the following papers:

**PETITION TO WITHDRAW FROM ISSUANCE AND  
EXPRESS ABANDONMENT**

Our credit card payment form in the amount of \$130.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

*Michael Monaco*

Eckhard H. Kuesters

Registration No. 28,870

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Michael E. Monaco

Registration No. 52,041

MAY. 16. 2007 9:06AM OBLON SPIVAK

NO. 778 P. 5

Docket No. 210767US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Minoru AKITA, et al.

Date Allowed: April 21, 2006

SERIAL NO: 09/899,219

GAU: 2616

FILED: July 6, 2001

EXAMINER: Jung H. Park

FOR: A COMMUNICATION CONTROL METHOD TO ALLOCATE SLOTS OF AN UPWARD SIGNAL TO CHILD STATION, AND CONTROL DEVICE, PARENT STATION, CHILD STATION AND COMMUNICATION FOR THE SAME

EXPRESS ABANDONMENT UNDER 37 CFR 1.138

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RECEIVED  
JUL 18 2006

SIR:  
Applicant(s) wish to disclose the following information.

OFFICE OF PETITIONS

Express Abandonment

Applicant's Representative requests that the above-identified application be expressly abandoned as of the filing date of this paper.

Express Abandonment in Favor of a Continuing Application

Applicant's Representative requests that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed herewith.

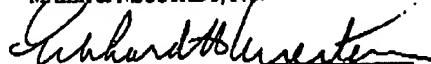
Petition for Express Abandonment to Avoid Publication under 37 C.F.R. 1.138(c)

Applicant's Representative hereby petitions to expressly abandon the above-identified application under 37 CFR 1.138(c) to avoid publication.

The required petition fee under 37 CFR 1.17(h) of \$130.00 is enclosed herewith by credit card payment form and any further charges may be made against the Attorney of Record's Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters  
Registration No. 28,870

Michael E. Monaco  
Registration No. 52,041

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22850

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Fax. (703) 413-3220  
(08MMN 03/03)

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